



INSIGHTS

108th Congress

July 29, 2004

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Weekly Summary

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INSIGHTS is prepared expressly for the Department of Energy's Office of Federal Energy Management Programs (FEMP). The purpose of **INSIGHTS** is to provide FEMP management staff with timely information on legislative activities relevant to the program. **INSIGHTS** is prepared for FEMP by Energetics, Incorporated, (202) 479-2748.

WEEKLY SUMMARY

CONGRESSIONAL SCHEDULE

Both the House and Senate are in recess through September 6. Congress will reconvene following the Labor Day Holiday and is also expected to recess again on or around October 1 until after the November elections.

FY 2005 BUDGET RESOLUTION AND FY 2005 APPROPRIATIONS

One Bill Sent to the President Last week, both the House and Senate passed the *Conference Report 108-622* for *H.R. 4613 – FY 2005 Appropriations for Defense*. On July 28, the \$416.2 billion bill was sent to the President for his signature; he is expected to sign the bill.

Status of Remaining Bills Up to twelve of the remaining 13 annual appropriations bills will most likely be rolled into one “continuing resolution” until Congress can prepare an “Omnibus” bill for any bills that have not been passed and signed into law before the beginning of the new fiscal year, which begins on October 1, 2004. Both Bill Young (R/FL) and Ted Stevens (R/AK) Chairmen of the House and Senate Committees on Appropriations respectively have expressed their desire to wrap the remaining bills into one large omnibus bill before the elections if possible. In the House, all FY 2005 appropriations bills have either been marked up at the committee level or passed by the full House. To date, the Senate has approved the conference report for the Defense bill and approved the Homeland Security bill at the committee level.

COMPREHENSIVE ENERGY LEGISLATION

No further action has been taken on passing comprehensive energy legislation this year. However, House Democrats are pressing for passage of a separate bill, which addresses electricity reliability issues contained in comprehensive energy legislation as a means to prevent further blackouts. Democrats used a procedure tool - a “discharge” petition requesting that the reliability provision contained in *H. R. 6 – Energy Policy Act of 2004* be acted on now by Congress. The Democrat’s bill, *H.R. 3004 – Electric Reliability Act of 2003* was introduced by John Dingell (D/MI) in September 2003; the bill was referred to the Subcommittee on Energy and Air Quality (Committee on Energy and Commerce), but no further action has been taken. A similar bill was introduced in the Senate (*S.2236 – Energy Policy Act of 2004*) by Maria Cantwell (D/WA) in March 2004; the bill was placed on the Senate calendar, however, no further action has been taken on this bill. The House and Senate Republican Leadership oppose a separate reliability bill arguing that the nation would benefit more from passage of comprehensive energy legislation.

Tax-related provisions of pending energy legislation have been attached to the Senate’s amendment to “must pass” corporate tax bill, *H.R. 4520*. The Senate amendment includes \$19.4 billion in tax incentives for energy efficiency and renewable energy, oil and gas, and other energy industries and resources. The House bill includes just a fraction of the tax credits reported in the Senate bill. The Senate has named its conferees to the conference committee while the House has not. House and Senate leaders hope the conference committee will begin meeting on the bill following the Labor Day Holiday.

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COMMITTEE ACTIVITY

HOUSE

Summary of Hearings

No new hearings, mark ups, or votes to report.

SENATE

Summary of Hearings

No new hearings, mark ups, or votes to report.

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STATUS OF FY 2005 APPROPRIATIONS BILLS

* **Red text** highlights developments since the last issue of *INSIGHTS*.

(In Billions)

HOUSE

SENATE

Jurisdiction/ FY 2004 Budget Request (In Billions)	302(b) Discretionary Allocations/ Approved Funding Level (In Billions)	Bill No.	Full Cmte. Mark Up	Floor Vote	Vote on Conf Rpt.	302(b) Discretionary Allocations/ Approved Funding Level (In Billions)	Bill No.	Full Cmte. Mark Up	Floor Vote	Vote on Conf. Rpt.
Agriculture \$16.569	\$16.78 \$16.77	H.R. 4766	6/23	7/13		TBD				
Commerce \$39.553	\$39.78 \$39.8	H.R. 4754	6/23	7/8		TBD				
Defense \$392.585	\$392.14 \$416.9	H.R. 4613	6/16	6/22	7/22	TBD \$416.2	S. 2559	6/22	6/24	7/22
Energy and Water Development \$27.938	\$27.99 \$28.0	H.R. 4614	6/16	6/25		TBD				
Homeland Security \$31.104	\$32 \$32	H.R. 4567	6/9	6/18		TBD \$33.1 \$32	S. 2537	6/17		
Interior \$19.982	\$19.73 \$19.5	H.R. 4568	6/9	6/17		TBD				
Labor/HHS \$142.050	\$142.05		7/14			TBD				
Military Construction \$9.553	\$9.553 \$10.003	H.R. 4837	7/9	7/22		TBD \$10.003	S. 2674	7/15		
Transportation and Treasury \$25.714	\$25.714	H.R. _____	7/22			TBD				
VA/HUD \$92.129	\$92.129 \$92.9	H.R. _____)	7/22			TBD				

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NEW LEGISLATION

(Note: Once a new bill is introduced, the Government Printing Office generally requires from several days to one week to make the bill available in print)

HOUSE

H.R. 4768 – Veterans’ Medical Facilities Management Act of 2004 Introduced by Rob Simmons (R/CT) on July 7, 2004. The bill authorizes the Secretary of the Department of Veterans’ Affairs to enter into leases for major medical facilities in 16 locations in the States of North Carolina, Virginia, Florida, Tennessee, Ohio, Indiana, Texas, Colorado, and California. The bill authorizes \$24.420 million in FY 2005 to support the leasing initiative. *H.R. 4768* was approved by the Committee on Veterans Affairs on July 21 and is pending consideration by the full House.

SENATE

S 2655 – Water and Energy Efficient Appliances Act of 2004 Introduced by Gordon Smith (R/OR) on July 14, 2004. The bill amends the *Internal Revenue Code of 1986* (Subpart D of part IV) by providing a tax credit for the production of qualified water and energy efficient appliances in tax years 2002, 2003, and 2004. Applicable appliances include dishwashers, clothes washers, and refrigerators. The bill was referred to the Committee on Ways and Means and no further action has been taken.

S. 2658 – Department of Energy National Laboratories Water Technology Research and Development Act Introduced by Pete Domenici (R/NM) on July 14, 2004, and co-sponsored by Jeff Bingaman (D/NM). The bill establishes a DOE research and development program to develop and facilitate widespread commercialization of economically viable technologies, including, but not limited to technologies (1) contributing to the reduction in water consumption; (2) water reuse; (3) agricultural, industrial, and municipal efficiency; and (4) water monitoring and systems analysis. The program is to be coordinated by Sandia National Laboratories and include the participation of other DOE laboratories and regional research centers. The bill authorizes \$25 million in FY 2005 and each year after and was referred to the Committee on Environment and Public Works; no further action has been taken on the bill.

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ADMINISTRATION INITIATIVES

No new announcements of interest to report.

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HEARINGS SCHEDULE

HOUSE – COMMITTEE ON APPROPRIATIONS

No new hearings, marks, or votes have been scheduled.

HOUSE – AUTHORIZATIONS/OVERSIGHT

No new hearings, marks, or votes have been scheduled.

SENATE – COMMITTEE ON APPROPRIATIONS

No new hearings, marks, or votes have been scheduled.

SENATE – AUTHORIZATIONS/OVERSIGHT

No new hearings, marks, or votes have been scheduled.

CONFERENCE COMMITTEE NEGOTIATIONS AND FLOOR VOTES

No conference committee meetings or floor votes have been scheduled.

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FY 2005 APPROPRIATIONS

Summary of Provisions of Interest

July Update

Agriculture, Rural Development, and Food and Drug Administration

Key Program Activity	House Bill <i>H.R. 4766</i> \$16.77 Billion (Passed the House on 7/13)	Senate Bill S. _____ \$ _____	Budget Request (Discretionary Funding) \$16.569 Billion
DEPARTMENT OF AGRICULTURE Buildings and Facilities and Rental Payments Animal Plant Health Inspection Service, Building and Facilities Agriculture Research Service	\$165.883 Million (includes \$128.319 million for rental payments, \$35.564 million for building operations, and \$2 million for a Strategic Space Plan) \$4.996 Million for buildings and facilities \$202 Million for buildings and facilities (includes \$178 million for construction of the Animal Health facility in Ames, IA; also provides \$3		Statement Of Administration Policy Administration supports passage of <i>H.R. 4766</i>

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Renewable Energy Program for Farmers	<p>million each for the modernization and construction for research facilities in Peoria, IL; Davis, CA; Salinas, CA; Houma, LA; Geneva, NY; Ithaca, NY; Pullman, WA; and Marshfield, WI)</p> <p>\$15 Million in energy grants and loans to farmers for renewable energy technologies.</p>		
FOOD AND DRUG ADMINISTRATION Facilities	\$0 funding		

COMMERCE, JUSTICE, STATE, AND THE JUDICIARY

Key Program Activity	House Bill <i>H.R. 4754</i> \$39.8 Billion (Passed the House on July 8)	Senate Bill S. _____ \$ _____	Budget Request (Discretionary Funding) \$39.553 Billion
DEPARTMENT OF COMMERCE National Institutes of Standards and Technologies, Facilities	<p>\$43.132 Million for construction and major renovations at NIST campuses in Boulder, CO and Gaithersburg, MD</p>		<p>Statement Of Administration Policy</p> <p>Administration supports passage of <i>H.R. 4754</i></p>

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National Oceanic and Atmospheric Administration, Facilities	Unspecified funding for facilities (committee also directs NOAA to submit within 60 days of enactment of Act, updated long-range construction and renovation facilities plan and corresponding spending plan for FY 2005)		
DEPARTMENT OF JUSTICE U.S. Marshals Service, Facilities Federal Bureau of Investigation, Facilities Bureau of Prisons, Facilities	\$1.371 Million for construction \$10.242 Million for construction (includes \$1.242 for recurring construction needs) \$189 Million for construction, modernization, maintenance, a repair of prison and detention facilities		
DEPARTMENT OF STATE Embassy Security, Construction, and Maintenance	\$1.524 Billion (includes \$912.320 million for priority worldwide security upgrades, acquisition, and construction and \$611.680 for non-security related costs) Provides funding for construction of 7new embassy compounds, 2 annex buildings, 4 USAID building on secure embassy compounds		

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DEFENSE

Key Program Activity	House Bill	Senate Bill	Budget Request (Discretionary Funding)
	<i>H.R. 4613</i>	<i>S. 2559</i>	
	\$416.9 Billion	\$416.2	\$392.585 Billion
	(Passed the House on 6/23)	(Passed the Senate on 6/24)	
Operations and Maintenance	Unspecified funding for Defense facilities	Unspecified funding for Defense facilities (permits the transfer of funds for increasing energy and water efficiency)	Statement Of Administration Policy Administration supports passage of <i>H.R. 4613</i> Administration supports passage of <i>S. 2559</i>
Pentagon Reservation		Establishes funding limitations	
Embassy Security, Construction, and Maintenance	\$20 Million		
Building Protection	Unspecified Funding for domestic and overseas installations that would benefit from window barrier protection.		

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ENERGY AND WATER DEVELOPMENT

Key Program Activity	House Bill <i>H.R. 4614</i> \$28 Billion (Passed the House on 6/25)	Senate Bill <i>S. ____</i> \$_____	Budget Request (Discretionary Funding) \$27.938 Billion
<p>ALL AGENCIES UNDER BILL’S JURISDICTION</p> <p>DEPARTMENT OF ENERGY</p> <p>Renewable Energy Programs</p>	<p>Directs all agencies to develop five-year budget plans for programs and agencies.</p> <p>\$343.173 Million</p> <p>\$1967 Million Departmental Energy Management</p> <p>\$82.733 Million Solar \$41.6 Million Wind \$95.325 Million Hydropower \$72.596 Million Biomass and Biorefinery Systems R&D \$17 Million Intergovernmental \$20.711 Million Program Direction (includes funding to Improve project management at Golden Field Office)</p>		<p>Statement Of Administration Policy</p> <p>Administration supports passage of <i>H.R. 4614</i>:</p> <ul style="list-style-type: none"> - Encourages the House to fund the President’s Hydrogen Fuel Initiative – encourages restoration of the House’s \$31 million funding cut for fuel cell technologies
<p>Electricity Transmission and Distribution</p>	<p>\$75.345 Million</p>		

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HOMELAND SECURITY

Key Program Activity	House Bill <i>H.R. 4567</i> \$32 Billion (Passed House on 6/18)	Senate Bill <i>S. 2537</i> \$32 Billion (Passed Committee on Appropriations on 6/17)	Budget Request (Discretionary Funding) \$31.104 Billion
<p>Headquarters Facility – Consolidation and Co-location of Offices</p> <p>DHS Facilities (General)</p> <p>Bureau of Customs and Border Protection</p> <p>Immigration and Customs Service (Air and Marine Interdiction Operations, Maintenance, and Procurement)</p> <p>U.S. Coast Guard (Acquisition, Construction, and Improvements)</p> <p>U.S. Secret Service</p>	<p>\$65.081 Million for construction and related activities.</p> <p>\$91.718 Million to plan, construct, renovate, equip, and maintain buildings and facilities.</p> <p>\$26.179 Million for construction, renovation, equipment, and maintenance of facilities.</p>	<p>\$65.081 Million for alternation and improvement of facilities and for relocation costs to consolidate headquarters' operations</p> <p>Unspecified Funding Directs DHS to report by 2/1/05, feasibility of establishing separate Homeland Security Pacific Region</p> <p>\$91.718 Million to plan, construct, renovate, equip, and maintain buildings and facilities</p> <p>\$26.179 Million for construction, renovation, equipment, and maintenance of facilities</p> <p>Unspecified Funding for shore facilities (notes that USCG invests in modern structures that are more energy-efficiency)</p> <p>\$3.633 Million for facility upgrades, continue development of Master</p>	<p style="text-align: center;">Statement Of Administration Policy</p> <p>Administration supports passage of <i>H.R. 4567</i></p> <p>Administration supports passage <i>S. 2537</i></p>

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Federal Law Enforcement Training Center	\$37.917 Million for additional property and facilities, construction, maintenance, improvements, etc.	Plan, and maintain and renovate existing facilities, including Rowley Training Center) Unspecified Funding for expansion and maintenance at facility (and minor construction projects at four other buildings)	
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INTERIOR AND RELATED AGENCIES

Key Program Activity	House Bill <i>H.R. 4568</i> \$19.5 Billion (Passed House on 6/17)	Senate Bill S. _____ \$_____ Billion	Budget Request (Discretionary Funding) \$19.982 Billion
DEPARTMENT OF ENERGY Energy Conservation	\$656.071 Million \$17.9 Million Federal Energy Management Program \$64.884 Million Building Technologies \$62.480 Million Distributed Energy Resources \$84.940 Million Industrial Technologies \$12.680 Million Biomass and Biorefinery Systems		Statement Of Administration Policy Administration supports passage of <i>H.R. 4568</i>

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	\$71 Million Fuel Cells \$167.356 Million Vehicle Technologies \$84.667 Million Intergovernmental \$90.164 Million Program Management		
DEPARTMENT OF THE INTERIOR			
U.S. Fish and Wildlife Service	\$48.4 Million for construction, improvement, acquisition or removal of buildings and other facilities.		
National Park Service	\$297.628 Million for construction, improvements, repair, or replacement of physical facilities. \$94.690 Million for maintenance repair or rehabilitation projects for constructed assets, etc.		
Smithsonian Institution	\$122.9 Million for repair, revitalization, and alteration of facilities and construction		
National Gallery of Art	\$11 Million for repair, restoration, and renovation of buildings, grounds and facilities.		
JFK Center for the Performing Arts	\$10 Million for construction Unspecified Funding for construction, reconstruction, maintenance, and acquisition of buildings and facilities.		

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Military Construction

Key Program Activity	House Bill <i>H.R. 4837</i> \$__ Billion (Passed House on 7/15)	Senate Bill <i>S. 2674</i> \$10.003 Billion (Passed Committee on Appropriations on 7/15)	Budget Request (Discretionary Funding) \$19.982 Billion
<p>Military Construction (to remain available through 9/30/09)</p> <p>Family Housing (construction funds to remain available through 9/30/09)</p>	<p>\$1.863 Billion for the Army \$1.081 Billion Navy and Marine Corps \$797.865 Million for the Air Force \$718.837 Million for Defense-wide \$394.1 Million Army National Guard \$180.533 Million for the Air National Guard \$116.421 Million for the Army Reserve \$20.955 Million for the Naval Reserve \$111.725 Million for the Air Force Reserve</p> <p>\$636.099 Million for Army Housing Construction \$926.507 Million for Army O&M \$139.107 Million Navy and Marine Corps Construction \$696.304 Million for Navy and Marine Corps O&M \$846.959 Million for Air Force Construction</p>	<p>\$1.977 Billion for the Army \$1.016 Billion Navy and Marine Corps \$841.131 Million for the Air Force \$696.491 Million for Defense-wide \$381.765 Million Army National Guard \$231.083 Million for the Air National Guard \$66.325 Million for the Army Reserve \$33.375 Million for the Nava Reserve \$101.373 Million for the Air Force Reserve</p> <p>\$636.099 Million for Army Housing Construction \$928.907 Million for Army O&M \$139.107 Million Navy and Marine Corps Construction \$704.504 Million for Navy and Marine Corps O&M \$846.959 Million for Air Force Construction</p>	<p style="text-align: center;">Statement Of Administration Policy</p> <p>Administration supports passage of <i>H.R. 4837</i></p> <p>Strongly supports increase in military housing privatization cap from \$850 million to \$1/35 billion.</p>

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	<p>\$854.666 Million for Air Force O&M \$49,000 for Defense wide construction \$49.575 Million for Defense-wide O&M</p>	<p>\$856.114 Million for Air Force O&M \$49,000 for Defense wide construction \$49.575 Million for Defense-wide O&M</p>	
Military Housing Privatization Initiative (MPHI)	<p>Recommends raising or eliminating the budgetary cap on MHPI and addressing scoring methodology changes proposed by the Congressional Budget Office.</p>		
Use of Sustainable Design Standards by DOD	<p>Encourages DOD to use sustainable building design and construction methods; House expressed concern about rating systems used by DOD to assess standards of sustainable design and construction that may unfairly discriminate against domestic producers of wood products</p>		
Water-Saving Technology	<p>Encourages DOD to (continue to) use water-saving technologies in the construction of new and improvement of existing DOD facilities</p>		
Energy Conservation Investment Program (ECIP)		<p>\$60 Million House maintains strong interest in renewable energy resources and commends the services for their efforts and the receipt of a Presidential Award for</p>	

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Barracks Construction		Federal Energy Management. \$1,015.1 Billion for the construction of Military Barracks	
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